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EXPRESS MAIL RECEIPT NO.: EL988725275US
DEPOSITED ON: October 20, 2003

PATENT

PRACTITIONER'S DOCKET NO. 8403.522



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Donald E. Weder

Confirmation No. 5406

Serial No: 10/090,567

Examiner: J. Gellner

Filed: 02/28/2002

Group Art Unit: 3643

For: FLORAL SLEEVE HAVING EXPANDABLE SIDEWALLS

MS Petition

Attention: Office of Petitions

Commissioner For Patents

P.O. Box 1450

Alexandria, VA 22313-1450

**PETITION FOR REVIVAL OF AN APPLICATION FOR
PATENT ABANDONED UNINTENTIONALLY UNDER 37 CFR 1.137(b)**

The above-identified application became abandoned for failure to file a timely and proper reply to a notice or action by the United States Patent and Trademark Office. The date of abandonment is the day after the expiration date of the period set for reply in the Office notice or action plus an extension of time actually obtained.

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APPLICANT HEREBY PETITIONS FOR REVIVAL OF THIS APPLICATION

Note: A grantable petition requires the following items:

1. Petition fee;
2. Reply and/or issue fee;
3. Terminal Disclaimer with disclaimer fee -- required for all utility and plant applications filed before June 8, 1995; and for all design applications; and
4. Statement that the entire delay was unintentional.

1. Petition fee

- ☐ Small entity-fee \$ _____ (37 CFR 1.17(m)). Applicant claims small entity status. See 37 CFR 1.27.
- ☒ Other than small entity-fee \$ _____ (37 CFR 1.17(m)).

2. Reply and/or fee

- A. The reply and/or fee to the above-noted Office action in the form of an Amendment and Response to the Office Action mailed April 10, 2003 and Petition for Extension of Time (3 months):

- ☐ has been filed previously on _____.
- ☒ is enclosed herewith.

- B. The issue fee of \$ _____.

- ☐ has been paid previously on _____.
- ☐ is enclosed herewith.

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3. Terminal disclaimer with disclaimer fee

- ☐ Since this utility/plant application was filed on or after June 8,

1995, no terminal disclaimer is required.

☐ A terminal disclaimer (and disclaimer fee (37 CFR 1.20(d)) of \$ ____ for small entity or \$ ____ for other than a small entity) disclaiming the required period of time is enclosed herewith (see PTO/SB/63).

4. **STATEMENT:** The entire delay in filing the required reply from the due date for the required reply until the filing of a grantable petition under 37 CFR 1.137(b) was unintentional. [NOTE: The United States Patent and Trademark Office may require additional information if there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137(b) was unintentional (MPEP 711.03(C), subsections (III)(C) and (D))].

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Enclosed herewith are:

- ☒ Fee payment
- ☒ Reply
- ☐ Terminal Disclaimer Form
- ☐ Additional sheets containing statements establishing unintentional delay
- ☒ Other: Transmittal, Fee Transmittal, Fee Determination Record, Petition for Extension of Time, and Acknowledgment postcard

Respectfully submitted,



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